



NARRAGANSETT PLANNING BOARD
SPECIAL MEETING NOTICE AND AGENDA
WEDNESDAY, JULY 1, 2020 AT 6:00PM
TO BE CONVENED ELECTRONICALLY FROM
NARRAGANSETT TOWN HALL, 25 FIFTH AVENUE

PLANNING
BOARD

CHAIRMAN

Terence Fleming

VICE-CHAIRMAN

Dr. Joseph O'Neill

SECRETARY

Robin Plaziak

MEMBERS

Donald Leighton

Vincent Indeglia

COMMUNITY

DEVELOPMENT

DIRECTOR

Michael DeLuca

STAFF

Jill Sabo

CLERK OF THE

BOARD

Heidi Petrone

ASSISTANT TOWN

SOLICITOR

Stephen Marsella

NOTE: THIS MEETING IS NOT OPEN FOR ONSITE ATTENDANCE.

PLEASE SIGN IN VIA COMPUTER OR CELLPHONE APP USING THE ZOOM ACCESS CODE OR DIAL IN FOR AUDIO ONLY VIA ONE OF THE NUMBERS LISTED BELOW.

Join Zoom Meeting

<https://zoom.us/j/8719170546>

One tap mobile

+1 929 436 2866, 8719170546# US (New York)

Dial by your location

+1 929 436 2866, Meeting ID: 871 917 0546# US (New York)

CONVENE / ROLL CALL:

ADMINISTRATIVE MATTERS:

CONSENT AGENDA

1C: **APPROVAL OF MEETING MINUTES:** May 19, 2020

REGULAR AGENDA

2R: **RECOMMENDATION TO TOWN COUNCIL:** Zoning Text Amendments

- **SECTION 2.2** – Add definition of “College Student”
- **SECTION 7** – Add new subsection regulating student-occupied dwellings.

REPORTS FROM STAFF / BOARD:

ADJOURNMENT

*Said petitions are on file in the office of Community Development in the Town Hall and available for review during regular office hours-**BY APPOINTMENT ONLY**. Individuals requesting an appointment or interpreter services for the hearing impaired must notify the Department of Community Development at 401-782-0632, 48-hours in advance of the hearing date.*

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 1
Amend No. _____

Date Prepared: June 25, 2020
Council Meeting Date: June 29, 2020

TO: Honorable Town Council

FROM: Andrew Berg, Esq., Assistant Solicitor

PREPARED BY: Andrew Berg, Esq.

SUBJECT: Referral of proposed zoning ordinance amendment to the Planning Board

RECOMMENDATION: A motion to refer to the Planning Board for review and recommendation a proposed amendment to the zoning ordinances prohibiting more than three college students from occupying a dwelling.

SUMMARY:

Pursuant to a recent vote by the Town Council, a draft ordinance has been prepared which limits the number of college students that can occupy a dwelling. The proposed ordinance is modeled after the Providence ordinance that was subject of the recent Supreme Court case, with three exceptions. First, unlike Providence's ordinance, the draft ordinance is not limited to targeted residential areas (ex: R-10, R-15). Rather, the proposed ordinance covers all zoning designations. Second, while Providence's ordinance only applies to single family homes, the proposed ordinance applies to "dwellings." Accordingly, in the case of multi-family houses, each unit within the house would be limited to three students. Finally, the Providence ordinance defines a "college student" as "An individual enrolled as an undergraduate or graduate student at any university or college educational institution **who commutes to campus.**" However, the proposed ordinance omits the above-emphasized language because proving a student commutes to campus would make prosecuting cases extraordinarily difficult.

ATTACHMENT:

1. Draft of Proposed Ordinance

TOWN OF NARRAGANSETT

CHAPTER

AN ORDINANCE IN AMENDMENT OF CHAPTER 731
OF THE CODE OF ORDINANCES OF THE
TOWN OF NARRAGANSETT, RHODE ISLAND, ENTITLED "ZONING"

It is ordained by the Town Council of the Town of Narragansett as follows:

Section 1: That within Section 2.2 of the Zoning Ordinance, entitled "Definitions", the following text is hereby added:

College Student. An individual enrolled as an undergraduate or graduate student at any university or college educational institution.

Section 6: That within Section 7 of the Zoning Ordinance, entitled "Supplementary Zoning Regulations", the following new section and text are hereby added:

Section 7.21. – Student occupied dwellings.

A dwelling or dwelling unit shall not be occupied by more than three college students, unless the building in which the dwelling is located is owner occupied.

Section 3: This ordinance shall take effect on upon passage, and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

First reading, read and passed in the Town Council meeting legally assembled the day of July, 2020.

Second reading, read and passed in the Town Council meeting legally assembled the day of July, 2020.